

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3773 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

S.K. MAKWANA

Versus

STATE OF GUJARAT

Appearance:

None present for Petitioners

None present for Respondent No.1 & 2

MR DC RAWAL for Respondent No.3, 4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 16/02/98

ORAL JUDGMENT

The matter was called out for hearing in the first round, then in the second round and lastly in the third round, but none put appearance on behalf of the petitioners and respondents No.1 & 2. Perused the Special Civil Application, reply to the same filed by respondents No.3 and 4 and heard the learned counsel for respondents

No.3 and 4.

2. The learned counsel for respondents No.3 and 4 contended that the matter is squarely covered by decision of this Court given in Special Civil Application No.458 of 1982 decided on 19th August 1993. It is not in dispute that as a result of one and the same selection the petitioners and respondents No.3 and 4 have been given appointments on the post of District Sports Officer. The seniority has been assigned to the petitioners and respondents No.3 and 4 on the said post in the order of merits as assigned to them by the Selection Committee and to this assignment of seniority, no exception can be taken. This Court has also accepted this position in the judgment on which reliance has been placed by learned counsel for respondents No.3 and 4. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. No order as to costs.

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(sunil)